

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

REMARKS

Reconsideration is respectfully requested.

Claims 1, 2, 7 through 12, 14, 15, 17, 18, and 21 through 28 remain in this application. Claims 3, 4, 5, 6, 13, 16, 19, and 20 have been cancelled. No claims have been withdrawn. Claims 29 through 32 have been added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Paragraph 8 of the Office Action

Claim 7 has been objected to for the informalities noted in the Office Action.

Claim 7 has been amended in a manner believed to clarify any informalities in the language and as suggested in the Office Action.

Withdrawal of the objection to claim 7 is therefore respectfully requested.

Paragraph 10 of the Office Action

Paragraph 10 of the Office Action states that:

10. With regard to claims 12, 14, 15, and 17-20, the rejections presented under 35 USC 103(a), presented in the final Office action mailed 8/26/2004, are maintained.

Since the rejections of at least some of the claims (e.g., claim 14 in paragraph 18 of the Office Action) rely upon the newly cited Netscape document, the rejections of the claims will be discussed in the context of the new combinations discussed in the Office Action, rather than rejections in the previous (final) Office Action.

Paragraphs 11 through 25 of the Office Action

Claims 1, 2, 7, 8, 10, 12, 14, 15, 17 through 24, and 26 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

Patent 6,163,779 ("Mantha") in view of US Patent 6,304,948 ("Motoyama"),
and further in view of the Netscape document ("Netscape").

Claim 1, particularly as amended, requires "receiving, by a client system in response to a request by a user of the client system, data from a network in a distributed system", "obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored", and "storing temporarily on the client system at least a portion of the received data for a period of at least the minimum length of time indicated by the user at the client system".

In the rejection of claim 1 in the Office Action, it is asserted that:

With regard to claim 1, Mantha discloses receiving, by a client system in response to a request by a user of the client system, data from a network in a distributed system (Web page is accessed) (Col 8, Lines 28-39); and storing temporarily at least a portion of the received data (Page is copied to local hard drive)(Col 9, Lines 15-18).

It is then conceded that:

Mantha fails to disclose obtaining by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored and storing the data for at least the minimum length of time.

However, while it is correct that Mantha fails to give any indication of a minimum period of time to store Web page copies, it is noted that Mantha does discuss the deletion of files by the user in an interactive, contemporaneous process at col. 9, lines 38 through 49:

A method for deleting a saved Web page copy is shown in the flowchart of FIG. 8. The routine begins at step 52 with the user bringing up the Category page (e.g., by clicking a number 1-9) from the remote control in which the Web page was stored. At step 54, the on-screen menu is accessed by clicking the Menu button from the remote control. The routine then continues at step 56 with the user clicking DELETE. This brings up a "Delete Items" page. At step 58, the user clicks on DELETE with respect to the link to be deleted. This

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

operation marks the item for deletion. At step 59, the user clicks DONE to make the change effective. This deletes the Web page.

As can be appreciated by one of ordinary skill in the art considering this portion of the Mantha disclosure, the deletion of Web page files is handled by a user in real time, with the files being deleted at the time that the user requests deletion.

It is then contended in the Office Action that:

Motoyama teaches the use of an expiration date to specify a time when a file should be considered invalid or unusable, and subsequently erase it after the expiration date has passed (Motoyama, Col 5, Lines 47-60). This is particularly advantageous since It allows the removal of old data from storage, such as company records which should be destroyed after a certain time period (Motoyama, Col 1, Lines 56-62). However, Mantha and Motoyama fail to specifically recite that the indication of the expiration period is received from by the client system from a user of the client system.

and then it is contended that:

Netscape teaches collecting an expiration time for history files from a user of client system through a graphical Interface (browser) executing on the client device. Netscape collects a time from a user of the system, which is then used to determine when the history files should expire. Allowing the user to specify the expiration time for the downloaded web pages would have been an advantageous addition to the System disclosed by Mantha in view of Motoyama, since it would have given them control over the expiration process.

However, it appears that the Motoyama and Netscape discussions are so contradictory to each other that one of ordinary skill in the art, considering these disclosures, would not arrive at the claimed invention. More specifically, the Motoyama patent discusses an "expiration date" that is set *by some unknown entity* (not the user and appears to be out of the control of the user), while the Netscape document discusses a maximum period for saving links in a History folder which may be set *by the user*. And while the "expiration date" described by Motoyama is applied *on a file-by-file basis*, the Netscape document describes a system *in which any (and all) links* are treated in the same manner (e.g., saved for the same period).

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

The Examiner argues in the Response to Arguments that "one cannot show non-obviousness by attacking references individually where the rejections are based on combinations of references." It is respectfully submitted that this argument in the Response to Arguments are not well taken.

First, contrary to the contentions in the Office Action, the applicant is not attacking the references individually but is rather pointing out what the references discuss individually and why, based on their teachings, the combination proposed in the rejection is not obvious. One must always keep in mind that one of ordinary skill in the art, considering the references, does not have the benefit of the roadmap to the invention provided by applicant's disclosure, and thus contradictions by the art making up the allegedly obvious combination can raise significant questions as to the likelihood that one of ordinary skill in the art would have found the allegedly obvious combination of elements selected from the art as "obvious".

In this case, the significantly different approaches and apparent contradictions between the documents would have presented one of ordinary skill in the art with a number of dilemmas, and therefore it is submitted that one of ordinary skill in the art would not have found it obvious to arrive at the claimed combination of requirement set forth in claim 1.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Mantha, Motoyama, and Netscape set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, the claims depending from claim 1 inherit the requirements of claim 1, and therefore are also submitted to be in condition for allowance.

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

Claim 12, as amended, defines a method and requires "browsing by a user at a client in order to locate Web page data associated with a specific Web page", "at said client, entering a time specified by the user for the Web page data associated with the specific Web page", "storing said Web page data for the specific Web page temporarily in a cache", and "after said user specified time period, deleting said Web page data for the specific Web page from said cache". Claim 14 defines a client system, and requires, in part, "wherein the stored data represents a particular Web site image downloaded from the network and the user-specified minimum period of time is associated with the stored data of the particular Web site image only".

The rejection of claim 12 at paragraph 17, and the rejection of claim 14 at paragraph 18 of the Office Action, each state, in part (all emphasis added):

Netscape teaches collecting an expiration time for history files from a user of client system through a graphical interface (browser) executing on the client device. Netscape collects a time from a user of the system, which is then used to determine when the history files should expire. Allowing the user to specify the expiration time for the downloaded web pages would have been an advantageous addition to the system disclosed by Mantha in view of Motoyama, since it would have given them control over the expiration process.

It is noted that the Netscape document states (emphasis added):

- 3 As a side note, you can change the "Visited links expire after N days" field to anything you want, let's say 5 for the purpose of this discussion. This forces entries in the history to be deleted after they have existed in the file for 5 days.

The fact that the Netscape system deletes *all* stored links after the set period is made clear to one of ordinary skill in the art by the text that follows this excerpt, which states (emphasis added):

For example, if you set "Visited links expire after N days" to '3', then any web pages you visited more than three days ago will be forgotten from the history file.

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

Thus, it is clear that the Netscape document leads one of ordinary skill in the art to delete *all* links after the set period of time, and does not provide for any exceptions. This is the problem that the claimed invention seeks to solve, in that users may want to hold onto the data associated with some web sites longer than others or all others. If a user attempts to rely on the typical first in/first out cache, then the data may be deleted at any time, for example, after the "history" is to be cleared, or even sooner if the amount of data to be cached data exceeds the available storage space. In other words, even though the Netscape document discusses a maximum period of time that the links will be stored, there is no indication that there is any guarantee that those links have to be stored for that period, and it is submitted that upon heavy use and a large number of web site visitations, the links may be "bumped" out of the history sooner than the period set by the user. Therefore, the user is not able to distinguish the relatively "important" data from the relatively less important data.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Mantha, Motoyama, and Netscape set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 14, particularly "wherein the stored data represents a particular Web site image downloaded from the network and the user-specified minimum period of time is associated *with the stored data of the particular Web site image only*". Further, claims 15, 17, and 18, which depend from claim 14, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §103(a) rejection of claims 1, 2, 7 through 11, and 21 through 28 is therefore respectfully requested.

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

Paragraphs 26 and 27 of the Office Action

Claim 9 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US Patent 6,163,779 ("Mantha") in view of US Patent 6,304,948 ("Motoyama"), and further in view of the Netscape document ("Netscape") and further in view of US Patent 6,038,601 ("Lambert").

Claim 9 requires "reading an instruction provided with the received data, wherein the instruction indicates that the received data should be temporarily stored".

The rejection of claim 9 in the Office Action states, in part (emphasis added):

Lambert et al. teach the use of HTML tags to store meta-data, controlling how machines reading the pages cache them (Col 11, Line 1 to Col 12, Line 35). This allows the site administrators of various sites to specify how a caching machine should treat their pages. Parameters such as expiration dates can be set by the administrator to ensure that clients are receiving the most current version of the site. It would be advantageous for the client disclosed by Mantha et al. in view of Motoyama et al. to support this feature in order to allow site administrators to specify some of the parameters, particularly for inexperienced users.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made for the client to support reading an instruction provided with the received data, wherein the instruction indicates that the received data should be temporarily stored. This allows site administrators to specify which pages should be stored, as well as parameters regarding their storage, such as expiration dates.

It is submitted, however, that the system described by Lambert would actually lead one of ordinary skill in the art away from the claimed invention, as claim 9 includes the requirements of claim 1, because, as the rejection language above argues, the Lambert system shifts control for setting the time period *away from* the user at the client system and *to* an administrator. Note that claim 9 merely requires that the instruction indicate that the received data "should be temporarily stored", but does not

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

require that the instruction include a minimum time period, which is required by claim 1 to be set *by the user at the client system*. Lambert, in contrast, leads one of ordinary skill in the art to shift this ability to an administrator remote from the client system.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Mantha, Motoyama, Netscape and Lambert set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 9.

Withdrawal of the §103(a) rejection of claim 9 is therefore respectfully requested.

Paragraph 28 and 29 of the Office Action

Claim 11 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US Patent 6,163,779 ("Mantha") in view of US Patent 6,304,948 ("Motoyama"), and further in view of the Netscape document ("Netscape") and further in view of US Patent 6,038,601 ("Pirulli").

Claim 11 requires "the data is a first Web page containing a hyperlink to a second Web page and the storing step includes storing data of the second Web page".

The rejection of claim 11 in the Office Action states:

Pirulli et al. disclose that pre-fetching of web pages is known in the art as a means for caching a Web before it is requested by the client, in anticipation that it will likely be requested in the future. Pages that are hyperlinked to other pages are often related. The user will often follow the hyperlink to see the related information. In the case of a cached page containing hyperlinks, it would be advantageous to further cache the pages linked to by the main page to be cached. This would allow the user to access the hyperlinks without requiring them to go online and access information that has potentially changed or may no longer be available.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the client also store

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

data of Web pages which are listed as hyperlinks in the main Web page to be cached. Since the hyperlinks likely point to relevant information, this will ensure that the user will have access to the pages as they were at the time the main page was cached. This eliminates any problems which may result from the hyperlinked pages going offline or being modified.

However, the Pirolli patent does not appear to suggest that any hyperlinked data in a web page is prefetched, much less that the hyperlinked data should be saved for a minimum period of time set for the Web page linking to the hyperlinked data. Further, the Pirolli patent discusses the deletion of documents from the cache without regard for any minimum set period of time, and thus the Pirolli system could easily delete hyperlinked data before a minimum period of time passes, and even before the linking page is deleted. See, e.g., Pirolli at col. 10, lines 42 et seq.:

At step 807, documents in the needs list with a need probability below some threshold amount are identified to be deleted from local cache.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Mantha, Motoyama, Netscape, and Pirolli set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 11.

Withdrawal of the §103(a) rejection of claim 11 is therefore respectfully requested.

Paragraphs 30 and 31 of the Office Action

Claim 25 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US Patent 6,163,779 ("Mantha") in view of US Patent 6,304,948 ("Motoyama"), and further in view of the Netscape document ("Netscape") and further in view of US Patent 6,789,019 ("Ferguson").

Claim 25 requires "deleting from storage the at least a portion of the received data on a first in/first out basis *upon the passage of the minimum length of time* indicated by the user" (emphasis added).

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

Claim 25 depends from claim 1, which is submitted to distinguish over the art for the reasons set forth above, and therefore claim 25 is submitted to be in condition for allowance.

Withdrawal of the §103(a) rejection of claim 25 is therefore respectfully requested.

Paragraphs 32 and 33 of the Office Action

Claims 27 and 28 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over US Patent 6,163,779 ("Mantha") in view of US Patent 6,304,948 ("Motoyama"), and further in view of the Netscape document ("Netscape") and further in view of Official Notice.

Claim 27 requires that, "after the expiration of the minimum length of time, notifying the user of the client system prior to the deletion of the at least a portion of the received data" and claim 28 requires "deleting the at least a portion of the received data after notifying the user of the client system prior to the deletion, and after the user of the client system has authorized the deletion of the at least a portion of the received data".

The rejection of the Office Action states, with respect to claims 27 and 28:

The Examiner takes Official notice that it is old and well known in the art to no a user and obtain permission from them prior to deleting files. This allows the user to monitor which files are being deleted and gives them a chance to stop deletion if the prefer to keep the data. This has been performed in many well-known instances, such as requiring a user to confirm whether or not to empty the Recycle Bin in Microsoft Windows.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to notify the user that the expiration period has expired and obtain permission to delete the expired files prior to deleting them. This would allow the user to stop deletion of any file that they still want to keep.

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

It is submitted that the scenario referred to in the rejection of the Office Action, emptying the Recycle Bin, is distinguishable from the claimed invention in a number of ways. For example, in the case of deleting files from the Recycle Bin, the user initiates or requests the deletion of the files, and the system merely requests confirmation from the user at the time that the request is made as to the actual desire to delete the files. This confirmation is requested at the same time that the user requests that the Recycle Bin be emptied. In other words, the deletion of files from the Recycle Bin does not occur at some time in the future after, for example, a selected period of time, but occurs at the time that the user is currently requesting the emptying of the Recycle Bin.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Mantha, Motoyama, Netscape, and Official Notice set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claims 27 and 28.

Withdrawal of the §103(a) rejection of claims 27 and 28 is therefore respectfully requested.

Added Claims

Added claim 29 requires that "the step of obtaining the indication of the minimum length of time occurs after the step receiving the requested data". This requirement is clearly contrary to the teachings of the cited references.

Added claim 30 requires "wherein the received data is associated with a particular Web page, and wherein the minimum length of time received from the user is applied only to the received data associated with the particular Web page". This is clearly contrary to the clear teaching of the Netscape document, which leads one of ordinary skill in the art to treat all

Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

cached Web pages in the same manner without distinction.

Added claim 32 requires:

receiving, by a client system in response to a request by a user of the client system, data for an individual Web page, from a network in a distributed system;

obtaining, by said client system from the user of the client system and *after receiving the data of the individual Web page*, an indication of a minimum length of time during which the received data for the individual Web page is to be temporarily stored on the client system; and

storing temporarily at least a portion of the received data for the individual Web page on the client system for a period of at least the minimum length of time; and

deleting the received data for the individual Web page from the client system after at least the minimum length of time.

It is submitted that these more detailed requirements of claim 32 are patentably distinct over the prior art.


Appln. No. 09/752,666
Amendment dated June 20, 2005
Reply to Office Action mailed March 18, 2005

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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